AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA AMENDING ORDINANCE G-16-83, REQUIRING CERTIFICATION IN CARDIOPULMONARY RESUSCITATION IN CHILD CARE SITUATIONS

WHEREAS, as a matter of necessity, many children are left in daycare situations while their parent or parents are employed outside the home; and

WHEREAS, the safety of said children is a matter of primary concern in this community; and

WHEREAS, the care and nurturance of children is a valuable and skilled profession; and

WHEREAS, the state law of Indiana only covers those individuals who provide child care for more than four (4) hours and more than five (5) children at any time excluding relatives; and

WHEREAS, the power to require certification in Cardiopulmonary Resuscitation for certain child-care situations is not expressly denied by the Indiana Constitution nor by statute and is not expressly granted to another entity; and

WHEREAS, the City of Fort Wayne has the power and authority to provide for the care and welfare of said children.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:

### SECTION 1. Definitions.

- (a) "Day Care Nursery": shall mean any place or institution operated for hire for the purpose of providing care and maintenance to children separated from their parent, guardian or custodian during a part of the day, except a school or other bona fide educational institution.
- (b) "Boarding Home for Children": shall mean a place operated by a person who for hire, gain or reward has in his/her custody or control a child unattended by parent, guardian or custodian, except a child related by marriage for the purpose of providing said child with care, food and lodging.
- (c) "Childrens' Home or Child Caring Institution": shall mean a childrens' home, orphanage, institution, shelter, care facility, or other place maintained or conducted by any group or individual, firm, association, corporation or political subdivision engaged in operating for gain a private business of boarding children who are unattended by a parent, guardian or custodian.

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(d) "Cardiopulmonary Resuscitation": shall mean a program in pediatric CPR module and pediatric obstructed airway module, as defined as <u>BLS COURSE</u> D by the American Heart Association, or its equivalent.

#### SECTION 2. Certification Required.

It shall be unlawful for any individual, firm, corporation, association or political subdivision to operate or maintain or conduct a Boarding Home for Children, Day Care Nursery, Childrens' Home or Child Caring Institution without retaining at least one (1) child care provider, on duty at all times, who has been certified in Cardiopulmonary Resuscitation by a certified instructor in said program. Nothing in this ordinance shall apply to any state institution maintained or operated by the state, or a licensed private or public educational institution.

#### SECTION 3. Certification to be kept current.

Certification is for one (1) year from ending quarter of the initial certification. Recertification shall require the child care provider to successfully complete a recertification in a BLS Course D program, or its equivalent, on an annual basis.

## SECTION 4. Current certification(s) to be displayed in prominent area.

Current certification card(s) or diploma(s) shall be displayed in a prominent area of the Boarding Home for Children, Day Care Nursery, Childrens' Home or Child Caring Institution. Such prominent area shall mean the primary entry way to said facility.

#### SECTION 5. Determination of Violation.

- (a) <u>Complaint.</u> Violations under this Chapter shall be reported to the Fort Wayne-Allen County Board of Health.
- (b) Notice of Violation. An inspector shall cause a written Notice of Violation to be served upon the owner or manager of the facility in question, granting that owner a minimum of fourteen (14) calendar days within which proof of certification of at least 1/2 of staff members in Cardiopulmonary Resuscitation must be forwarded to the Fort Wayne-Allen County Board of Health.
- (d) <u>Inspection.</u> Following the expiration of the Notice of Violation, if no proof of certification has been forwarded, an Inspector shall inspect the facility to determine a violation of this ordinance.

#### SECTION 6. Penalty.

Upon inspection and determination of a violation by an inspector of the Fort Wayne-Allen County Board of Health, the violator shall be punished by a fine of \$25.00, payable to the City Clerk of the City of Fort Wayne, Indiana. Each day such violation of this ordinance shall continue shall constitute a separate offense.

thereof.

SECTION 7. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the mayor and legal publication

COUNCILPERSON

APPROVED AS TO FORM AND LEGALITY.

Stanley A. Levine

Legal Counsel to Common Council

title and referred City Plan Commission	on for recommend	, and duly a e on (A) ation) and B	Adopted, read	the second to	the
due legal notice, a Fort Wayne, Indiana of	t the Council Co	onference Ro	oom 128, City	-County Build:	ing, , dav
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SANDRA E. KENNEDY, (	Jennedy		Lotoma	. Hener	
Prosented by	JIII CLERK	PRESID	ING OFFICER		
the 24-1	me to the Mayor	of the Cit	y of Fort Wa	yne, Indiana,	on
the 24th	day of	any	ush	, 1	988,
at the hour of	1.00		7		
		SANDRA	E. KENNEDY,	Leunedy CITY CLERK	
Approved and	signed by me th	is 30th	day of	A. t	,
1988, at the hour	of 2:4	5o'clo	ck .M.,	E.S.T.	
			1,11171		
		PAUL HI	ELMKE, MAYOR		

BILL NO. G-88-08-29	
	ADMINISTRATION AND STATE
REPORT OF THE COMMITTEE ON_	LEGISLATION
ADMINISTRATION	N AND
WE, YOUR COMMITTEE ON STATE LEGISLAT	
A CONTRACTOR OF THE PROPERTY O	owl of the common
REFERRED AN (ORDINANCE) (RESOLUTION	ON) OF THE COMMON
COUNCIL OF THE CITY OF FORT WAYN	IE INDIANA AMENDING
ORDINANCE G-16-83, REQUIRING CER	EMITETCATION IN
ORDINANCE G-10-03, REQUIRING CER	CITTICATION IN
CARDIOPULMONARY RESUSCITATION I	N CHILD CARE
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MARK E. GIAQUIN	ra ·
CHAIRMAN COMPERCION CO	
DAMES S. STIER	
VICE CHAIRMAN	D.M.
DONALD J. SCHMII	D.I.
Was Com DAVID C. LONG	
DAVID C. HONG	
CHARLES B. REDD	
CONCURRED IN 8-23-88	
CONCURRED IN 3300	
	Sandra F. Lennedy
	Handra P. Herry
5	Sandra E. Kennedy
	City Clerk



### THE CITY OF FORT WAYNE

September 19, 1988

Ms. April Minnick
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Minnick:

Please give the attached full coverage on the dates of September 22 & 29, 1988, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne: IN

Bill No. G-88-08-29 Cardiopulmonary Resuscitations Child Care

Please send us 4 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours!

Sandra E. Kennedy

City Clerk

SEK/ne ENCL: 1

### LEGAL NOTICE

Not	August 23rd day of
-	, 19 88 , the Common Council of the City
	Session did pass
the	following Bill No. G-88-08-29 General
Ord	inance No. G-25-88 to-wit:
1	
2	BILL NO. G-88-08-29
3	GENERAL ORDINANCE G-25-88
4	
5	AN ORDINANCE OF THE COMMON COUNCIL OF
6	ORDINANCE G-16-83, REQUIRING CERTIFICATION
7	IN CARDIOPULMONARY RESUSCITATION IN CHILD CARE SITUATIONS
8	WHEREAS, as a matter of necessity, many
9	or parents are employed outside the home; and
10	WHEREAS, the safety of said children is a matter of primary concern in this community; and
11	WHEREAS, the care and nurturance of children is a valuable and skilled profession; and
12	WHEDEAS the state
13 14	WHEREAS, the state law of Indiana only covers those individuals who provide child care for more than four (4) hours and more than five (5) children at any time excluding relatives; and
15	WHEREAS the second
16 17	in Cardiopulmonary Resuscitation for certain child-care situations is not expressly denied by the Indiana another entity; and
18	WHEDDAG
19	and authority to provide for the care and welfare of said children.
<ul><li>20</li><li>21</li></ul>	NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA THAT:
22	SECTION 1. Definitions.
23	
24	(a) "Day Care Nursery": shall mean any place or institution operated for hire for the purpose of providing care and resist.
25	separated from their parent quandian to children
26	during a part of the day, except a school or other bona fide educational institution.
27	(b) "Boarding Home for Children": shall mean a place operated by a person who for hire, gain or reward has in his/her much library and his/her much li
28	unattended by parent quardian and a child
29	of providing said child with care food and
30	10491119.
31	(c) "Childrens' Home or Child Caring Institution": shall mean a childrens' home,
32	orphanage, institution, shelter, care facility, or other place maintained or conducted by any group

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(d) "Cardiopulmonary Resuscitation": shall mean a program in pediatric CPR module and pediatric obstructed airway module, as defined as <u>BLS COURSE</u> D by the American Heart Association, or its equivalent.

### SECTION 2. Certification Required.

It shall be unlawful for any individual, firm, corporation, association or political subdivision to operate or maintain or conduct a Boarding Home for Children, Day Care Nursery, Childrens' Home or Child Caring Institution without retaining at least one (1) child care provider, on duty at all times, who has been certified in Cardiopulmorary Resuscitation by a certified instructor in said program. Nothing in this ordinance shall apply to any state institution maintained or operated by the state, or a licensed private or public educational institution.

### SECTION 3. Certification to be kept current.

Certification is for one (1) year from ending quarter of the initial certification. Recertification shall require the child care provider to successfully complete a recertification in a BLS Course D program, or its equivalent, on an annual basis.

# SECTION 4. Current certification(s) to be displayed in prominent area.

Current certification card(s) or diploma(s) shall be displayed in a prominent area of the Boarding Home for Children, Day Care Nursery, Childrens' Home or Child Caring Institution. Such prominent area shall mean the primary entry way to said facility.

### SECTION 5. Determination of Violation.

- (a) <u>Complaint.</u> Violations under this Chapter shall be reported to the Fort Wayne-Allen County Board of Health.
- (b) Notice of Violation. An inspector shall cause a written Notice of Violation to be served upon the owner or manager of the facility in question, granting that owner a minimum of fourteen (14) calendar days within which proof of certification of at least 1/2 of staff members in Cardiopulmonary Resuscitation must be forwarded to the Fort Wayne-Allen County Board of Health.
- (d) <u>Inspection.</u> Following the expiration of the Notice of Violation, if no proof of certification has been forwarded, an Inspector shall inspect the facility to determine a violation of this ordinance.

### SECTION 6. Penalty.

Upon inspection and determination of a violation by an inspector of the Fort Wayne-Allen County Board of Health, the violator shall be punished by a fine of \$25.00, payable to the City Clerk of the City of Fort Wayne, Indiana. Each day such violation of this ordinance shall continue shall constitute a separate offense.

	PAGE THREE	
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3	full force and effect f all necessary approval	7. That this Ordinance shall be rom and after its passage and any a by the mayor and legal publicati
4	and Col.	and legal publicati
5		Charles B. Redd
6		Thee 3 Red
.7		COUNCILPERSON
/ Tala	Read the third time in full a rico, and duly adopted, placed ng vote:	and on motion by Stier, seconded on its passage. PASSED by the
	AYES: Nine Bradbury, Burns, GiaQuint Schmidt, Stier, Talarico NAYS: None ABSTAINED: None ABSENT: None	ca, Henry, Long, Redd,
	DATED: 8-23-88	Sandra E. Kennedy City Clerk
yne, I gust,	Passed and adopted by the Comindiana as General Ordinane No. 1988.	mon Council of the City of Fort G-25-88 on the 23rd day of
	ATTEST: (SEAL)	)
	Sandra E. Kennedy City Clerk	Thomas C. Henry Presiding Officer
the 2	Presented by me to the Mayor of August, 1988, at the	of the City of Fort Wayne, Indiana, e hour of 1:30 o'clock P.M., E.S.T.
		Sandra E. Kennedy City Clerk
r of 2	Approved and signed by me this 2:45 o'clock P.M., E.S.T.	30th day of August, 1988, at the
		Paul Helmke Mayor
I, Th	he Clerk of the City of Fort Wa	yne, Indiana do hereby certify
that	the above and foregoing is a f	ull, true and complete copy of
	General Ordina	nce No. G-25-88
passe	ed by the Common Council on the	
		, and that said Ordinance was
duly	signed and approved by the May	
auly		
		38 , and now remains on file and
on re	ecord in my office.	
WITNE	ESS my hand, and the official s	eal of the City of Fort Wayne,

SEAL

Indiana, this . 30th day of

SANDRA E. KENNEDY, CITY CLERK

Notice is hereby given that on the 23rd day of 1988, the Common Council of the City of Fort Indiana, in a Regular Session did pa following Bill No. G-88-08-29 General Ordina G-25-88 to-wit:  BILL NO. G-88-08-29  GENERAL ORDINANCE OF THE PROPERTY OF THE P	August,		Gene The Journal-	ral Form No. 99P (Revised	1987)
following Bill No. G-88-08-29 General Ordinal G-25-88 to-wit:	nce No.	_ To:		duzevve	_ Dr.
BILL NO. G-88-08-29  AN OPPINANCE GENERAL ORDINANCE G	3-25-88		P.O. Box 100		
THE CITY OF FORT WAYNE, INDIANA AME	NDING 7. Indiana		Fort Wayne,	IN	
IN CARDIOPULMONARY RESUSCITATION	ON.				
WHEREAS, as a matter of necessity, many care left in daycare are left in daycare.	hildren	SLISHER'S C	LAIM		
parents are employed outside the home; and WHEREAS, the safety of said children is a man	rent or				
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WHEREAS, the state law of Indiana only those individuals who provide child care for more	covers d two actual lines	, neither of whi	ch shall total		
time excluding relatives; and WHEREAS the power to require continuous	at any e in which the boo	dy of the adver	tisement is set)		
G-25-88 to-wit:  BILL NO. G-88-08-29  GENERAL ORDINANCE GAN ORDINANCE GAN ORDINANCE OF THE COMMON COUNTY THE CITY OF FORT WAYNE, INDIANA AME ORDINANCE G-16-83, REQUIRING CERTIFICATION IN CARDIOPUL MONARY RESUSCITATION IN CARDIOPUL MONARY RESUSCITATION WHEREAS, as a matter of necessity, many care left in daycare situations while their paraperents are employed outside the home; and WHEREAS, the safety of said children is a mater of necessity, and whereas, the safety of said children is a mater of necessity. The community is and whereas, the safety of said children is a material whereas, the safety of said children is a material whereas, the safety of said children is and whereas, the safety of said children four you have and whereas, the safety of said children four (4) hours and more than five (5) children time excluding relatives; and whereas, the power to require certificated cardiopulmonary Resusciation for certain children in the constitution or by statute and is not experienced by the Inconstitution in or by statute and is not experienced to another entity; and whereas, the City of Fort Wayne has the paradeuthority to provide for the care and welfare children.  NOW, THEREFORE, BE IT ORDAINED BY COMMON. COUNCIL OF THE CITY OF the care and welfare of the c	ion in d-care				
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(d) Inspection. Following the expiration of the	19 88	Title:	Cl	erk /	_
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and effect from and after its passage and any and all necessary approval by the mayor and lead subjects.	) ss:				
Charles B. Redd	Allen County)				
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seconded by Talarico, and duly adopted, placed on its passage. PASSED by the following vote:  AYES: Nine Bradbury, Burgo, GloCuitete, Marchaller, Burgo, Gl				duly sworn, says that he	
Bradbury, Burns, GiaQuinta, Henry, Long, Redd, Schmidt, Stier, Talarico NAYS: None	she is Clerk			e newspaper of gener	
NAYS: None ABSTAINED: None ABSENT: None DATED: 8-23-88	0110 10			age in the (city) (town)	
Sandra E. Kennedy City Clerk	Fort Wayne, IN	-		d that the printed matte	
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Geneal Ordinance No. G-25-88 on the 23rd day of August, 1988.  ATTEST: Sandra E Kennotiv. (SEAL)	attached harata is			blished in said paper fo	
City Clerk Inomas C. Henry			-		)1
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of August, 1988, at the hour of 1:30 o'clock P.M., E.S.T.	time s		tes of publication bein	g as tollows.	
Sandra E. Kennedy		9/2	2,29/88		
Approved and signed by me this 30th day of August, 1968, at the hour of 2:45 o'clock P.M., E.S.T. Paul Helmke			Thus	dy Sterling	
The Clerk of the City of Fort Wayne Indiana			0000	di di	1/2/2
hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-25-88, passed by the Common Council on the 23rd day of August, 1988, and that said Ordinance was duly signed and approved by the Mayor on the 300 study.	Subscribed and sworn	to before me t		1 11 1	196
day of August, 1988, and that said Ordinance was duly signed and approved by the Mayor on the 30th day of August, 1988, and course hayor on the 30th day of			Shell	en Katie	
may office.				y Public	
SANDRA E KENNEDY CITY OF FOR	N/	Shelley	,R <sub>19</sub> baRue		
	My commission expire	es:		Approximately the second	enter Egypter et enter et en Egypter 1888/1860 196 Esterio Esterio en

Subscribed and sworn to before me this 29th

My commission expires: March 3, 1990

Shelley R. LaRue

\_day of \_\_Sept.

may office.
WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 30th day of August, 1988.
SANDRA E. KENNEDY, CITY CLERK

(Governmental	Council To:	The Journal-Gazet P.O. Box 100	Di
Allen	County, Indiana	Fort Wayne, IN	
	PUBLISHER'	S CLAIM	
LINE COUNT			
Display Matter (Must no more than four solid line number of equivalent l	ot exceed two actual lines, neither of s of type in which the body of the ad ines	which shall total vertisement is set)	
Head number of lines			1
Body number of lines		-	154
Tail number of lines			2
Total number of lines in	notice		157
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157 lines, 1 at .495 cents per lin	columns wide equals <u>157</u> e	equivalent lines	77.72
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	f publication (\$1.00 for each proof in	n excess of two)	2.00
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(Governmental Unit)	The News-Sentinel
(Governmental Chie)	P.O. Box 100
Allen County, Indiana	Fort Wayne, IN
PUBLISHER'	'S CLAIM
LINE COUNT	
Display Matter (Must not exceed two actual lines, neither of more than four solid lines of type in which the body of the actual results of equivalent lines.)	f which shall total dvertisement is set)
Head number of lines	1
Body number of lines	154
Tail number of lines	2
Total number of lines in notice	157
COMPUTATION OF CHARGES	
157 lines, 1 columns wide equals 157	equivalent lines
at <u>•495</u> cents per line	\$77.72
Additional charge for notices containing rule or tabular work (50 percent of above amount)	
Charge for extra proofs of publication (\$1.00 for each proof in	n excess of two) 2.00
TOTAL AMOUNT OF CLAIM	\$79.72
DATA FOR COMPUTING COST	
Width of single column 12.5 ems	
Number of insertions	
Size of type6 point	
Pursuant to the provisions and penalties of Chapter 155, Acts	s 1953,
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